

REMARKS

Applicant is in receipt of the Office Action mailed March 29, 2007. Claims 1-3 and 5-16 were rejected and remain pending in the application. Reconsideration of the case is earnestly requested in light of the following remarks.

Claims 1-3 and 5-6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kerrigan (U.S. Patent No. 5,404,488) in view of Tacklind (U.S. Patent No. 5,626,114). Applicant respectfully traverses these rejections.

Applicant respectfully submits that Kerrigan and Tacklind fail to teach the subject matter recited in claim 1. For example, claim 1 recites, “the first computer system sending a single message to the second computer system, wherein the single message comprises the first portion of the plurality of real time measurement data values, wherein the first portion comprises two or more of the real time measurement data values”. With respect to these limitations of claim 1, the Examiner cites Col. 7, lines 21-30 of Tacklind. This portion of Tacklind teaches that an application program controls a telephone interface circuit to connect to a remote reporting system and transfer data records to the remote reporting system. However, Tacklind is silent as to how the data records are transferred to the remote reporting system. In particular, Tacklind does not teach sending a single message which comprises two or more real time measurement data values, as required by claim 1.

Furthermore, claim 1 recites that the tender application generates a query request for a first portion of the plurality of real time measurement data values, and the first computer system sends a single message comprising the first portion of the plurality of real time measurement data values to the second computer system. Kerrigan and Tacklind do not teach this subject matter. The references, taken either singly or in combination, do not teach a first computer system sending a message comprising a portion of real time measurement data values to a second computer system, where the portion of real time measurement data values has been requested by an application on the second computer system. Tacklind teaches connecting to the remote reporting system and transferring data records, apparently without the remote reporting system requesting the data records or any portion of the data records. Instead, a user initiates the transfer of the data records by

pushing a button on a user interface. (See Col. 7, lines 21-30). Applicant can find no teaching in either reference of an application on one computer system generating a query request for a first portion of real time measurement data values, and another computer system sending the requested portion of real time measurement data values.

Applicant thus respectfully submits that the cited references do not teach the subject matter recited in claim 1 for at least the reasons discussed above, and thus, claim 1 is patentably distinct over the references. Inasmuch as independent claim 11 recites limitations similar to those discussed above, Applicant respectfully submits that claim 11 is also patentably distinct over the cited references.

Since the independent claims have been shown to be patentably distinct over the cited references, Applicant submits that the dependent claims are also patentably distinct, for at least this reason. Applicant also respectfully submits that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the independent claims have been shown to be patentably distinct, a further discussion of the dependent claims is not necessary at this time.

CONCLUSION

In light of the foregoing amendments and remarks, Applicant submits the application is now in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5150-57700/JCH.

Respectfully submitted,

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